

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

EVA Y. PEÑA,

Plaintiff,

-against-

MACY’S INC.; ALEKSEY PREZENCHUK, as District Director of Operations and Asset Protection; BRIAN SWIFT, as Asset Protection Manager; DIVINDRA PERSAUD, as Asset Protection Manager; SAMANTHA NEWTON-HENRY, as Asset Protection Detective; THE CITY OF YONKERS; PATRICK CURTIS, as Lieutenant, Police Department City of Yonkers; CHRISTINA ZENKEWICH, as Sergeant, Police Department City of Yonkers and SHAWN MARTIN, as Police Officer, Police Department City of Yonkers, each sued individually and in their official capacities as employees of Defendant MACY’S INC.,

Defendants.

Case No. 22-cv-9435

Hon. Philip M. Halpern

**JUDGMENT**

Halpern, J.

This action having been commenced on September 3, 2022 by the filing of the Summons and Complaint; and it appearing that Defendants The City of Yonkers, Patrick Curtis, Christina Zenkewich, and Shawn Martin (the “City Defendants”) made an offer of judgment pursuant to Federal Rule of Civil Procedure 68 on July 22, 2024; and it appearing that Plaintiff Eva Y. Peña (“Plaintiff”) unconditionally accepted that offer on July 22, 2024; and Plaintiff having filed the offer, acceptance, and an appropriate proof of service with the Court in accordance with Rule 68(a); and good cause having been shown; judgment is hereby entered against the City Defendants pursuant to Fed. R. Civ. P. 68 as follows:

Judgment is entered in favor of Plaintiff and against the City Defendants in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00), inclusive of all costs and attorneys' fees at issue in this action.

This Court shall retain jurisdiction of this action to ensure compliance with this Order and for all other purposes related to this Action.

There being no just reason for delay, the Clerk of the Court is hereby instructed to enter this Order and Judgment against the City Defendants forthwith and without further notice.

The Clerk of Court is directed to close this case.

**SO ORDERED**, this 31 day of <sup>October</sup>~~September~~, 2024.

October 31, 2024  
Dated: ~~September~~, 2024  
White Plains, New York



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PHILIP M. HALPERN, U.S.D.J.